

REMARKS

The Examiner objected to the specification for mentioning Fig. 3(d). A proposed drawing change is attached which adds this view number. No new matter is entered. Approval is requested. Withdrawal of the objection is requested.

The claims were rejected under §112, second paragraph. Amendment is made in view of the Examiner's remarks, except as noted below. Withdrawal of the rejection is requested.

Claim 1. The specification is amended as suggested by the Examiner in the middle of the last paragraph on page 2. However, the rejection is respectfully traversed for the record¹ and the Applicant notes that the claims are not narrowed or limited in any way by the change to the specification.

Claim 3. The rejection is also respectfully traversed in part as to claim 3 (Action page 3, first paragraph). The Examiner states that "the claim [3] should include the z motion." However, the Applicant believes that the z-axis exemplifies dependent claim 10. The Examiner is thus understood to assert that the limitation of dependent claim 10 (as exemplified in the disclosure) is needed to make claim 1 definite, which is respectfully submitted to be incorrect.

Claim 5. The Examiner is thanked for pointing out the clerical error in this claim.

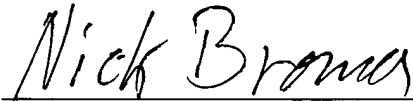
¹ (1) At page 12, lines 12-17 cited by the Examiner, the specification states, "Note that, for the present example, the work attraction section [comprises] the movement section." The specification as now amended is purely an example of the claims and not a definition of the claims.

(2) With respect, the Examiner assumes that no element can be a subset of two "sections" (element 3 is an element of both sections). However, there is no rule that requires a strict mutual exclusion of elements in recited features. The Examiner is invited to consider that the sixth paragraph of §112 allows the applicant, by statute, to divide a mechanism according to its functions and that functions do not imply separable physical parts. For example, a flywheel has an axle and a rim, which move differently and have different functions (e.g., "means for rotatably holding" and "means for providing rotational inertia"), but the axle cannot be sharply distinguished from the rim by either function (the axle also has mass) or position (the axle extends outward from the axis and rotates, so it has some inertia). Thus, if the Applicant had recited "means for moving" and "means for attracting" then the division of functions in the example of page 12 would have exactly the same, but *by statute* there would have been no indefiniteness. Analogously, the claimed "sections" could overlap without indefiniteness.

Claim 7. Claim 7 is rejected similarly to claim 3 (Action page 3, third paragraph). To clarify the situation as to claim 7, the Applicant has added new claim 11, in analogy to claims 9 and 10, explicitly reciting the feature which the Examiner has inferred as a limitation of claim 7 on the basis of the exemplary disclosure.

The Applicant is now believed to be in condition for allowance, which is requested.

Respectfully submitted,

A handwritten signature in black ink that reads "Nick Bromer". The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line.

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